



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**BY FIRST CLASS MAIL**

**DEC 24 2012**

Charles E. Wilkerson  
1513 E. Elm Avenue  
El Segundo, CA 90245

RE: MUR 6569  
Chuck Wilkerson for Congress  
and Patricia Louise Motta,  
in her official capacity as treasurer

Dear Mr. Wilkerson:

On December 18, 2012, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of Chuck Wilkerson for Congress and Patricia Louise Motta in her official capacity as treasurer, in settlement of a violation of 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Margaret Ritzert Howell  
Attorney

Enclosure  
Conciliation Agreement

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RECEIVED  
FEDERAL ELECTION  
COMMISSION

**BEFORE THE FEDERAL ELECTION COMMISSION**

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In the matter of

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MUR 6569

(formerly RR 10E34)

OFFICE OF GENERAL  
COUNSEL

Chuck Wilkerson for Congress  
and Patricia Louise Motta, in her  
official capacity as treasurer

**CONCILIATION AGREEMENT**

This matter was initiated pursuant to information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Chuck Wilkerson for Congress and Patricia Louise Motta, in her official capacity as treasurer, ("Respondent" or "Committee") violated 2 U.S.C. § 434(b).

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

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1           1. Charles Wilkerson was the Republican candidate for the U.S. House of  
2 Representatives from California's 30th Congressional District in 2010. He lost the general  
3 election.

4           2. Charles Wilkerson's designated principal campaign committee is Chuck Wilkerson for  
5 Congress and Patricia Louise Motta, in her official capacity as treasurer. The Committee filed its  
6 Statement of Organization on March 16, 2010, and has filed disclosure reports since that date.

7           3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires  
8 committee treasurers to file reports of receipts and disbursements in accordance with the  
9 provisions of 2 U.S.C. § 434. See 2 U.S.C. § 434(a)(1) and 11 C.F.R. § 104.1(a). These reports  
10 must include, *inter alia*, the total amount of receipts and disbursements. See 2 U.S.C. § 434(b);  
11 11 C.F.R. § 104.3. Committees are also required to disclose itemized breakdowns of receipts  
12 and disbursements and disclose the name and address of each person who has made any  
13 contribution or received any disbursement in an aggregate amount or value in excess of \$200  
14 within the calendar year, together with the date and amount of any such contribution or  
15 disbursement. See 2 U.S.C. § 434(b)(2) - (6); 11 C.F.R. § 104.3(a)(3) and (4); 11 C.F.R.  
16 § 104.3(b)(2) and (4).

17           4. The Committee originally filed its 2010 October Quarterly Report on October 15,  
18 2010. The Committee filed five Amended 2010 October Quarterly Reports. The first three  
19 amendments disclosed no change in receipts and disbursements from the original reports. The  
20 final two amended reports, both filed on July 28, 2011, disclosed previously unreported receipts  
21 of \$11,060.24 and previously unreported disbursements of \$5,753.11.

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1           5. The Committee originally filed its 2010 12 Day Pre-General Report on October 21,  
2           2010. On August 4, 2011, the Committee filed an Amended 2010 12 Day Pre-General Report  
3           disclosing previously unreported disbursements of \$439.30.

4           6. The Committee originally filed its 2010 30 Day Post-General Report on December 1,  
5           2010. The Committee filed four Amended 2010 30 Day Post-General Reports, the first of which  
6           disclosed no change in disbursements from the original report. The amended reports filed on  
7           July 15, July 28, and August 4, 2011, respectively, disclosed previously unreported  
8           disbursements of \$121,958.43.

9           7. The Committee originally filed its 2011 April Quarterly Report on April 17, 2011, and  
10          filed an Amended 2011 April Quarterly Report on August 4, 2011. The amended report  
11          disclosed previously unreported disbursements of \$1,311.31.

12          V. Respondent violated 2 U.S.C. § 434(b) by failing to disclose \$11,060.24 in receipts  
13          and \$129,462.15 in disbursements in its 2010 October Quarterly, 2010 12 Day Pre-General, 2010  
14          30 Day Post-General, and 2011 April Quarterly Reports.

15          VI. 1. In ordinary circumstances, the Commission would seek a substantially higher  
16          civil penalty based on the violations outlined in this agreement. However, the Commission is  
17          taking into account the fact that the Committee is defunct, has no cash on hand according to the  
18          evidence available, and has a limited ability to raise any additional funds. Respondant will pay a  
19          civil penalty to the Commission in the amount of \$2,000, pursuant to 2 U.S.C. § 437g(a)(5)(B).

20                 2. Respondent will cease and desist in committing violations of 2 U.S.C.  
21          § 434(b).

22          VII. The Commission, on request of anyone filing a complaint under 2 U.S.C.  
23          § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance

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1 with this agreement. If the Commission believes that this agreement or any requirement thereof  
2 has been violated, it may institute a civil action for relief in the United States District Court for  
3 the District of Columbia.

4 VIII. This agreement shall become effective as of the date that all parties hereto have  
5 executed same and the Commission has approved the entire agreement.


6 IX. Respondent shall have no more than 30 days from the date this agreement becomes  
7 effective to comply with and implement the requirements contained in this agreement and to so  
8 notify the Commission.

9 X. This Conciliation Agreement constitutes the entire agreement between the parties on  
10 the matters raised herein, and no other statement, promise, or agreement, either written or oral,  
11 made by either party or by agents of either party, that is not contained within this written  
12 agreement shall be enforceable.

13 FOR THE COMMISSION:

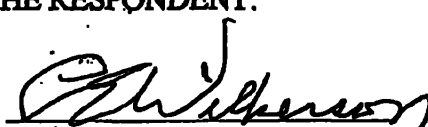
14 Anthony Herman  
15 General Counsel

16 BY:

17   
18 Daniel A. Petalas  
19 Associate General Counsel  
for Enforcement

12/20/12  
Date

20 FOR THE RESPONDENT:

21   
22 Charles Wilkerson  
23 Candidate

06/06/12  
Date

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 4, 2013

**TWO WAY MEMORANDUM**

TO: OGC Docket  
FROM: Gwen Holmes *GH*  
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from **Charles E Wilkerson**. The check is number **1124** dated **December 25, 2012** in the amount of **\$2,000.00**. A copy of the check and all correspondence are attached. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

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TO: Rosa E. Swinton  
Accounting Technician

FROM: OGC Docket

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 2000.00,  
the MUR/Case number is 6569 and in the name of Charles Wilkerson for Congress.

Please this deposit in the account indicated below:

XX Civil Penalties Account, 95-1099.160

     Miscellaneous Receipt Account, 95-3220.160  
(Disgorgement)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
January 4, 2013

Date

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